



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MAILED

Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, TX 75201

OCT 19 2004

**DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600**

In re Application of: :
Douglas P. Seams :
Serial No. 10/723,322 :
Filed: November 26, 2003 :
For: METHOD AND SYSTEM FOR EXTRACTION
OF RESOURCES FROM A SUBTERRANEAN
WELL BORE

**DECISION ON PETITION
TO MAKE SPECIAL
(ENERGY)**

This is a decision on the petition filed March 29, 2004 under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section VI: Energy.

A grantable petition to make an application special under 37 C.F.R. 1.102 (c), MPEP 708.02, Section VI for an invention which materially contributes to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources must be accompanied by statements under 37 CFR 1.102 by applicant or his attorney explaining how the invention materially contributes to category (A) or (B) set forth above.

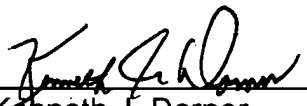
The petition includes a statement by applicant's attorney, Mr. Brian W. Oaks, that "the invention relates to an improved technique for extracting energy resources from a subterranean well bore." Mr. Oaks further states that "the invention relates to a method for stimulating production of resources (such a(sic) coal bed methane gas) from a coal seam."

These statements are insufficient to grant a petition under 37 CFR 1.102 (c) to make the above-identified application special under the accelerated examination procedure set forth in MPEP 708.02, Section VI: Energy. In this regard, these statements appear to be mere conclusions on Mr. Oaks' part, and without some details setting forth how the invention functions to extract energy resources from a subterranean well bore and stimulate production of resources from a coal seam, the above statements are inadequate to establish for the record that the invention "materially contributes to the development of energy resources". A detailed explanation of how the invention meets this criteria is required.

For the above stated reasons, the petition is **DISMISSED**.

Any request for reconsideration must be filed within TWO MONTHS of the date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Should petitioner desire reconsideration, he should supplement this petition by a declaration or statement giving the information as outlined above. Applicant should promptly submit a renewed petition to the Commissioner of Patents and Trademarks, Washington, D.C. 20231. The envelope should indicate that the correspondence be brought to the attention of Technology Center 3600.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



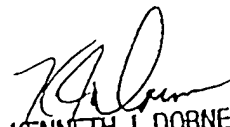
Kenneth J. Dorner
Special Programs Examiner
Technology Center 3600
(703) 308-0866

KJD/rwg: 10/14/04

Norma

PLEASE MAIL DECISION

Thanks


KENNETH J. DORNER
SPECIAL PROGRAMS EXAMINER
TECHNOLOGY CENTER 3600

RWG
DH